

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA**

THOMAS ADKINS,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-23-157-J
)	
BRYAN LOCKE, et al.,)	
)	
Defendants.)	

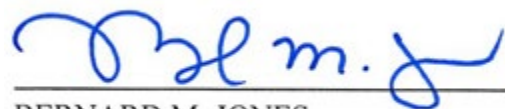
ORDER

This matter was referred to United States Magistrate Judge Shon T. Erwin consistent with 28 U.S.C. § 636(b)(1)(B). [Doc. No. 3]. Plaintiff, a state prisoner appearing pro se, has filed a third amended complaint under 42 U.S.C. § 1983, alleging liability against Defendants Bryan Locke, Michael Azzam, and Houston Dilbeck, in their individual and official capacities. On July 19, 2024, Judge Erwin issued a Report and Recommendation recommending the Court: (1) dismiss the official capacity claims against all three Defendants on screening, (2) grant Defendants' Motion for Summary Judgment on the individual capacity claims, and (3) deny Plaintiff's Motion for Summary Judgment. Plaintiff has filed objections to the Report and Recommendation which triggers de novo review. [Doc. No. 61]. Having carefully reviewed the court file, and particularly the third amended complaint, the special report, the motions for summary judgment, the responses to the motions for summary judgment, and Plaintiff's objections to the Report and Recommendation de novo, the Court agrees with Judge Erwin's analysis set forth in the Report and Recommendation.

Accordingly, the Court ADOPTS the Report and Recommendation [Doc. No. 60], DISMISSES Plaintiff's official capacity claims against Defendants on screening, GRANTS

Defendants' Motion for Summary Judgment [Doc. No. 48] on the individual capacity claims, and DENIES Plaintiff's Motion for Summary Judgment [Doc. No. 56].

IT IS SO ORDERED this 5th day of August, 2024.



BERNARD M. JONES
UNITED STATES DISTRICT JUDGE